

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

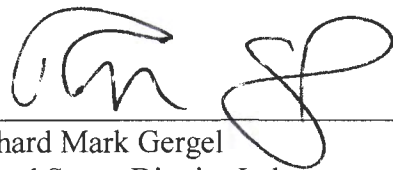
Vicki Brown,)	
)	
Plaintiff,)	Civil Action No. 0:18-2532-RMG
)	
vs.)	
)	
Andrew M. Saul, Commissioner)	
of Social Security,)	ORDER
)	
Defendant.)	
)	
)	
)	

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Supplemental Security Income ("SSI"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation ("R & R") on August 26, 2019, recommending that the decision of the Commissioner be reversed and remanded to the agency because of the Administrative Law Judge's failure to address and resolve the apparent conflict between the DOT and the testimony of the Vocational Expert. Dkt. No. 14 at 5-8. The Commissioner has advised the Court that he does not intend to file objections to the R & R. (Dkt. No. 16).

The Court has reviewed the R & R and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the Report and Recommendation as the order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the

matter to the Commissioner for further proceedings consistent with this order. In light of the protracted nature of the proceedings since the filing of this application of disability on September 15, 2014, now approaching the five year anniversary, the Court directs that the administrative hearing in this matter on remand be held within 120 days of this Order and that any proceedings before the Appeals Council be completed within 60 days thereafter.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'RM Gergel', is written over a horizontal line.

Richard Mark Gergel
United States District Judge

Charleston, South Carolina
September 1, 2019